

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

In Re:

Case No. 12-33080-MDM

**DEAN AND VALERIE ANDERSON,
Debtors.**

Chapter 13

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Dean and Valerie Anderson has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Ryan Blay
Lakelaw
6905 Green Bay Road, Suite 101
Kenosha, WI 53142
262-694-7300
262-694-7301 (fax)
rblay@lakelaw.com
State Bar No. 1076006

You must also mail a copy to:

Ryan Blay
Lakelaw
6905 Green Bay Road, Suite 101
Kenosha, WI 53142

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

- X the Debtors;
 _____ the Chapter 13 Trustee (post-confirmation modifications only);
 _____ the holder of an unsecured claim (_____) (post-confirmation modifications only)

2. This is a request to modify a Chapter 13 Plan (Select A or B):

- A. _____ post-confirmation
B. pre-confirmation (select i. or ii.);
i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
ii. _____ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:

3. The Proponents wish to modify the Chapter 13 Plan to do the following:

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- (a) Amend the payment schedule to create a “winter skip” plan in which payments from October-March of each plan year are reduced, on the following schedule:
- \$230 per month from October 2012-March 2013
\$1230 per month from April 2013-September 2013
\$230 per month from October 2013-March 2014
\$1230 per month from April 2014-September 2014
\$230 per month from October 2014-March 2014
\$1230 per month from April-May 2014
4. The reason for the modification is to adjust for seasonal unemployment of Mr. Anderson.
5. Select A. or B.
- A. The Chapter 13 Plan confirmed on _____ is modified as follows:
- B. X The unconfirmed Chapter 13 plan filed on September 4, 2012 is modified as follows: See Section 3

All remaining items and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW, THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated December 4, 2012 at Kenosha, Wisconsin

LAKELAW

By: : _____ /s/ Ryan Blay _____

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CERTIFICATE OF SERVICE

The undersigned attorney swears under penalty of perjury that the above Motion to Modify Plan was sent via CM/ECF Electronic notice to the Office of the United States Trustee and the Chapter 13 Trustee Mary Grossman on the date below. He further swears under oath that a copy of the Motion to Modify Plan was submitted via United States Mail, First Class, Postage Pre-Paid from Kenosha, WI to the following parties on the date below:

JP Morgan Chase Bank, National Association
c/o Cummisford, Acevedo & Associates, LLC
6508 S. 27th Street, Suite 6
Oak Creek, WI 53154

Dean and Valerie Anderson
7541 35th Ave.
Kenosha, WI 53142

Dated December 4, 2012 at Kenosha, Wisconsin

By: _____/s/ Ryan Blay_____

Attorney Ryan Blay

State Bar No. 1076006

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